UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,904	10/22/2003	Yukihito Furuhashi	17155	6368

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EXAMINER
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ART UNIT	PAPER NUMBER
2167	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/690,904	FURUHASHI ET AL.
	Examiner	Art Unit
	Michael D. Pham	2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 October 2003</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-12</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-12</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>22 October 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☒ Certified copies of the priority documents have been received in Application No. <u>10/690,904</u>.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>10/22/2003</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

Detailed Action

1. Claims 1 - 12 have been examined.

2. Claims 1 - 12 are pending.

3. Claims 1 - 12 are rejected as detailed below.

Priority

Applicant has claimed foreign priority therefore the application has been examined with

consideration of foreign priority date of 10/23/2002.

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers

have been placed of record in the file.

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a
separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed
150 words in length since the space provided for the abstract on the computer tape used by the
printer is limited. The form and legal phraseology often used in **patent claims**, such as "means"
and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist
readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the
title. It should avoid using phrases which can be implied, such as, "The disclosure concerns,"
"The disclosure defined by this invention," "The disclosure describes," etc.

1.   The abstract of the disclosure is objected to because the abstract contains nearly exact

repetition of the language used in claim 1. Correction is required. See MPEP § 608.01(b).

2.   The specification is objected to as failing to provide proper antecedent basis for the

claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the

following is required: the term "registerer" recited in claim 3 is not disclosed in the

specifications.

3.   The specification is objected to as failing to provide proper antecedent basis for the

claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the

following is required: the term "registration end category candidate" recited in claim 3 is not

disclosed in the specifications. Instead, what is mentioned is a "recommended" registration end,

0030.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived
> by the manner in which the invention was made.

Claims 1-2 and 7-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent 6442538 by Nojima (hereafter Nojima) in view of U.S. Patent 6892193 by Bolle et. al.

(hereafter Bolle).

Claim 1:

A system in which various feature values possessed by a multimedia object are used to

search for a similar object, comprising:

a feature value calculation section configured to calculate one or more types of

feature values from the multimedia object which is registered [Nojima discloses col 1 line

46, Col. 5 line 10-13, Col. 1 lines 5-10, calculation of feature values for a registration system in a

retrieval system].

However, Nojima does not explicitly [1] disclose a category setting section configured to

set a category, which is based on the feature value calculated by the feature value

calculation section, on a database storing the multimedia object.

On the other hand, Bolle discloses classifiers based on features, for multimedia items

[abstract].

Both inventions are directed towards media databases. Not only that but both sort

similarities between media items. Therefore it would have been obvious to one of ordinary skill

at the time the invention was made to have modified Bolle to have included a category setting

section configured to set a category, which is based on the feature value calculated by the

feature value calculation section, on a database storing the multimedia object based on the

disclosure of Bolle. A skilled artisan would have been motivated to do so for the purpose of

determining whether a given media item is equal to one of, or is similar to one of, a plurality of

temporal media items; or, determining whether it is equal or similar to a media item or equal or

---

[1] Nojima, Col. 1 lines 30-35. Does disclose arranging in order of similarities to a list for users.

similar to a sub segment in a media item collection. Determining similarity is an important

multimedia categorization problem. (Bolle Col. 2 lines 17-21)

Nojima in combination of Bolle discloses,

a registration section [Nojima, abstract, registration system] **configured to associate**

with the multimedia object which is registered, the feature value calculated by the feature

value calculation section [Nojima, Col. 1 line 46, Col. 5 lines 10-13, col. 1 lines 5-10] **and the**

category set by the category setting section [Bolle, Abstract] **and to register the multimedia**

object [Nojima, Abstract], **the feature value** [Nojima, Col. 5 lines 10-13, col. 1 lines 5-10], **and**

the category into the database [Bolle, Classifiers used in database, Col. 32 lines 59-67].

Claim 2:

As to claim 2, Nojima and Bolle further disclose, **wherein the category setting section**

automatically selects the category based on the feature value calculated by the feature

value calculation section [Bolle, Abstract and Col. 31 lines 23-25. Automatically and based on

feature values.], **and**

the registration section automatically registers the multimedia object which is the

registration object and the feature value of the multimedia object into the database

together [Nojima, Col. 4 lines 55-65 and Col. 5 lines 10-13, registration of media object and

feature values] **with the category automatically selected by the category setting section**

[Bolle, Abstract and col. 31 lines 23-25.].

Claim 7:

As to claim 7, Nojima and Bolle further disclose, **wherein the category setting section includes:**

a discriminant analysis section configured to discriminate/analyze the feature value of the registered multimedia object with respect to the registration-end category [Bolle, Col. 2 lines 40-49]; **and**

a storage section configured to store a discriminant analysis result of the discriminant analysis section [Bolle, Col. 32 lines 59-64, classifiers are stored. Since discriminant methods are essentially classifiers, they are stored.], **and uses the discriminant analysis result stored in the storage section to select the category which is the registration end** [Bolle, Col. 2 lines 40-49].

Claim 8:

As to claim 8, Nojima and Bolle further disclose, **wherein the discriminant analysis section discriminates/analyzes the feature value with respect to the registered objects including the multimedia object constituting the registration object, after the category setting section determines the registration end of the multimedia object** [Bolle, col. 34 lines 39-44, comparison of target stream and reference segments].

Claim 9:

As to claim 9, Nojima and Bolle further disclose **comprising: an object designation section configured to designate an arbitrary multimedia object as the multimedia object which is the registration object** [Nojima, col. 6 lines 5-10]; **and an attribute designation section**

configured to carry out at least one of designation and input of attribute information of the

multimedia object designated by the object designation section [Nojima, col. 5 lines 50-56].

Claim 10:

As to claim 10, Nojima and Bolle further disclose, **wherein the category setting section**

includes an attribute designation section configured to carry out at least one of designation

and input of attribute information of the multimedia object which is the registration object

[Bolle, Col. 33 lines 5-8].

Claim 11:

Claim 11 contains similar limitations as that of claim 1 except that claim 11 is directed

towards the method instead of the system. Therefore, claim 11 is rejected for the same reasons

as that of claim 1.

Claim 12:

Claim 12 contains similar limitations as that of claim 1 and is therefore rejected under the

same grounds of rejection.

Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent

6442538 by Nojima (hereafter Nojima) and U.S. Patent 6892193 by Bolle et. al. (hereafter

Bolle) in further view of U.S. Patent 6810149 by Squilla et. al. (hereafter Squilla).

Claim 3:

Nojima and Bolle disclose the system according to claim 1, wherein the category setting section selects the category based on the feature value calculated by the feature value calculation section[Bolle, Abstract, categories based on features], However they do not explicitly disclose **to provide an initial value of a registration end category candidate which is to be presented to a registerer.**

On the other hand Sequilla discloses that a category can be set by users [Col. 5 lines 15-35]

All inventions are directed towards media management. It would have been obvious to one of ordinary skill at the time the invention was made to have modified Nojima and Bolle to have included the step **to provide an initial value of a registration end category candidate which is to be presented to a registerer** based on the disclosure of Sequilla. A skilled artisan would have been motivated to do so because Sequilla allows for a user to personalize the way media is cataloged [abstract] and further allows the user to specify categories created by computer [Col. 5 lines 15-35]. In that way, easier retrieval will occur because the intended user has set forth a personal categorization style.

Claim 4:

The system according to claim 1, wherein the category setting section selects a plurality of categories based on the feature value calculated by the feature value calculation section

[Bolle, Col. 28 lines 1-17, plurality of categories], **and order of high accuracy** [Nojima col. 1 lines 30-35].

However, Bolle and Nojima do not explicitly disclose displaying the plurality of selected categories.

On the other hand, Squilla discloses col. 5 lines 25-35, selection categories having icons that identify particular events and also a corresponding list set forth.

All inventions are directed towards media management and further ordering media objects. It would have been obvious to one of ordinary skill at the time the invention was made to have included the step of **displaying the plurality of selected categories** based on the disclosure of Squilla. A skilled artisan would have been motivated to do so for the purpose of allowing a user to determine the most appropriate category to put a media object [Squilla, Col. 5 lines 15-25]. In that way, easier retrieval will occur because the intended user has set forth a personal categorization style.

Claim 5:

The system according to claim 4, wherein the category setting section displays the plurality of categories selected based on the feature value [Bolle, Abstract Categories based on features] **as a list indicating the categories having the accuracy which is not less than a set threshold value, and a list indicating the categories having the accuracy** [Squilla, col. 5 lines

25-35, displays category lists, **which includes lists that are not relevant.] which is less than the threshold value** [Nojima, Col. 1 lines 30-35, threshold similarity ordered listing.].

Claim 6:

Nojima and Bolle disclose the system according to claim 1 and further disclose, **wherein the category setting section selects the category which is the registration end based on the feature value calculated by the feature value calculation section** [Bolle, abstract, categories based on features], however do not explicitly disclose **displays the selected category to which a symbol representing the accuracy is attached.**

On the other hand, Squilla discloses icons appropriately assigned to categories (Col. 5 lines 15-25).

All inventions are directed towards media management and further ordering media objects. It would have been obvious to one of ordinary skill at the time the invention was made to have included the step of **displaying the selected category to which a symbol representing the accuracy is attached** based on the disclosure of Squilla. A skilled artisan would have been motivated to do so for the purpose of allowing a user to determine the most appropriate category to put a media object [Squilla, Col. 5 lines 15-25] .

Conclusion

The prior art made of record listed on PTO-892 and not relied upon, if any, is considered

pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael D. Pham whose telephone number is (571)272-3924.

The examiner can normally be reached on Monday - Friday 8am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisorJohn Breene can be reached on 571-272-4107. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Pham   Debbie Le
Art Unit 2167   Art Unit 2168
Examiner   Primary Examiner
3/30/2006   3/30/2006